



City of Seattle

Gregory J. Nickels, Mayor

Department of Design, Construction and Land Use

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2303969

Applicant Name: Brittani Ard

Address of Proposal: 1516 NW 57th Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to divide one parcel into four unit lots (unit lot subdivision). The subdivision of property is only for the purpose of allowing sale or lease of the unit lots. Proposed lot areas are: A) 1,186 square feet; B) 1,301 square feet; C) 1,231 square feet; and D) 1,283 square feet. The construction of townhouse units has been approved under related Master Use Permit #2301882.

The following approval is required:

Short Subdivision - To divide one parcel into four (4) parcels of land (unit lot subdivision). (Seattle Municipal Code Chapter 23.24)

SEPA DETERMINATION:

☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition, or
involving another agency with jurisdiction.

BACKGROUND DATA

Site and Vicinity Descriptions

The approximately 5,000-square foot site is located in a Residential, Multifamily, Lowrise 3/Residential-Commercial zone (L3 RC) on NW 57th Street, on the block between 15th Avenue NW and 17th Avenue NW. At the project location, NW 57th Street is paved with curb, gutter, sidewalk, and planting strips. An existing single-family residence on the subject site is proposed to be demolished.

Properties located to the immediate east and west are also zoned L3 RC. Properties farther to the east are zoned Neighborhood Commercial 2, with a height limit of 30 feet (NC2). Parcels to the north are zoned Residential, Multifamily, Lowrise 2 (L2), and parcels to the south (across NW 57th Street) are zoned Neighborhood Commercial 3, with a height limit of 65 feet (NC3-65). Development in the area consists of a mixture of multi-family structures, single-family residences, and commercial uses (in the commercial zones).

Proposal Description

The applicant proposes to subdivide the subject parcel into four (4) unit lots with the following lot areas: A) 1,186 square feet; B) 1,301 square feet; C) 1,231 square feet; and D) 1,283 square feet. Parcels A and B would front on NW 57th Street, and Parcels C and D would have indirect access onto NW 57th Street via an 11-foot wide access easement. Under a related construction permit (Master Use Permit #2301882), four townhouse units (in two structures) will be constructed on the site following demolition of an existing single-family residence.

Public Comments

The public comment period was extended by written request and ended July 16, 2003. No written comments were received.

ANALYSIS - SHORT SUBDIVISION

SMC Section 23.24.040 provides that the director shall use the following criteria to determine whether to grant, condition, or deny a short plat outlined in seven main criteria. Based upon information provided by the applicant; review and approval of access, drainage and zoning within the Department of Design, Construction and Land Use (DCLU), the review and approval from the Seattle Water Department (SWD), Seattle Fire Department (SFD), and Seattle City Light; and review by the Land Use Planning and Development analyst, the following findings are made with respect to the criteria, as listed below:

1. Conformance to the applicable Land Use Code provisions;

The underlying construction permit for four (4) townhouse has been approved under a related construction permit (Master Use Permit #2301882). This related application meets

all applicable provisions of the Land Use Code including density, lot coverage, setbacks, open space, parking, and access.

The proposed unit lot subdivision would allow separate ownership of the land associated with the townhouse units. This purpose is consistent with the provisions of SMC 23.24.045, Unit lot subdivisions.

2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*

Vehicular access to the subject site would be provided from an access easement on to NW 57th Street, and parking for all four units would be located within the respective unit.

The Seattle Fire Department has reviewed and approved the short plat for emergency vehicle access on July 1, 2003.

All private utilities are available in this area. Seattle City Light would provide electrical service to the proposed short plat and has requested an easement to provide electrical facilities and service to the proposed unit lots. This easement (identified as P.M. 250311-1-012B) should be provided on the final recording documents for the short plat.

Because two parcels (Parcel C and D) are proposed without street frontage, the applicant has called out an area on proposed Parcel B for the posting of visible address signage for all units. This location should be formalized with an easement or covenant on the final recording documents.

3. *Adequacy of drainage, water supply and sanitary sewage disposal;*

This area is served with domestic water, sanitary sewer, and storm drain facilities by the City of Seattle, and availability of service is assured subject to standard conditions of utility extension.

The application was reviewed by Seattle Public Utilities, and Water Availability Certificate #2003-0855 was approved and issued on August 4, 2003.

The existing structure located on the subject site is connected by means of a single sidesewer to an 8-inch public sanitary sewer (PSS) located in NW 57th Street. This mainline was originally constructed as a combined sewer. As such, there are likely to be downspouts and area drains still connected to what is now considered for purposes of redevelopment, a sanitary sewer. Sidesewer permits will be required to connect the new units constructed under related MUP #2301882.

This area has been separated with the construction of an 18-inch public storm drain (PSD) to the east in 15th Avenue NW. Concrete curb and gutter would convey stormwater runoff to street inlets connected to this PSD which then discharges to a Designated Receiving Water. Specific plan review requirements were reviewed under the building

permit application (MUP #2301882) in accordance with applicable stormwater ordinances. Therefore, drainage review has been conducted and approved in conjunction with this project.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The public use and interests would be served by permitting the proposed subdivision of land, and the proposal meets all applicable criteria for approval of a short plat as discussed in this analysis. The proposed development would have adequate access for vehicles, utilities, and fire protection and has adequate drainage, water supply, and sanitary sewage disposal.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*

The subject site is not located within a mapped or observed environmentally critical area (ECA) as set forth in SMC 25.09.020.

6. *Is designed to maximize the retention of existing trees;*

Standards for tree retention, planting, and preservation were reviewed under the related construction permit (MUP #2301882).

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or title of townhouses, cottage housing, clustered housing, or single-family housing.*

The provisions of SMC Section 23.24.045, Unit Subdivisions, are as follows:

- A. *The provisions of this section apply exclusively to the unit subdivision of townhouses, cottage housing, clustered housing or Single Family residences in Lowrise zones.*

The subject proposal would establish separate unit lots for four townhouses in an L3/RC zone; thus, falling within the purview of SMC Section 23.24.045.

- B. *Sites developed or proposed to be developed with dwelling units listed in subsection A above may be subdivided into individual unit lots. The development as a whole shall meet development standards applicable at the time the permit application is vested. As a result of the subdivision, development on individual lots may be non-conforming as to some or all of the development standards based on analysis of the individual unit lot, except that private, useable open space for each dwelling unit shall be provided on the same lot as the dwelling unit it serves.*

The related development approved under Master Use Permit #2301882 meets applicable development standards as a whole. Usable private open space for each dwelling unit should be shown on the final plat drawings consistent with the open space shown on the approved construction plans.

- C. *Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any non-conformity of the parent lot.*

The discussion under Criterion F indicates that there would be proper control of future platting actions, additions or modifications to the structures.

- D. *Access easements and joint use and maintenance shall be executed for use of common garage or parking areas, common open spaces (such as common courtyard open space for cottage housing), and other similar features, as recorded with the Director of the King County Department of Records and Elections.*

Joint use and maintenance agreements for pedestrian and vehicular easements and all common areas have been provided on the draft short plat documents.

- E. *Within the parent lot, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that parking is formalized by an easement on the plat, as recorded with the Director of the King County Department of Records and Elections.*

Required parking for all four units would be located within each respective unit.

- F. *The fact that the unit lot is not a separate building lot and that additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot shall be noted on the plat, as recorded with the Director of the King County Department of Records and Elections.*

The applicant has placed a condition on the face of the plat that states: “The dwelling units constructed on this site are non-conforming structures permitted pursuant to 23.45.190. Additional development on any individual lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code.”

This condition should be included in the final recording documents; however, the applicant should remove the reference to “23.45.190” and must add a note that the unit lot is not a separate building lot.

Summary

The lots proposed by this short subdivision would meet all minimum standards of the L3/RC zone set forth in the Land Use Code. As conditioned, this short subdivision would be provided with vehicular access (including access for emergency vehicles) and both public and private utilities. Adequate provisions for drainage control, water supply and sanitary sewage disposal would be provided for each lot, and service is assured, subject to standard conditions governing utility extensions.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown.
2. Submit the recording fee(s) and final recording forms for approval.
3. Add the conditions of approval to the face of the plat.
4. Include an easement to provide for electrical facilities and service to the proposed lots as required by Seattle City Light (described in Exhibit "A," P.M. #250311-1-012B) on the final short subdivision.
5. Modify Note #4 to remove the following text: "pursuant to 23.45.190" and must add a note that the unit lot is not a separate building lot.
6. Provide an easement or covenant to formalize the area called out for address signage for the unit lots.

Signature: (signature on file) Date: September 11, 2003
Leslie C. Clark, AICP
Land Use Planner